

**Housing and Property Chamber**  
**First-tier Tribunal for Scotland**

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**First-tier Tribunal for Scotland (Housing and Property Chamber)**  
**Certificate of Completion of Work: Housing (Scotland) Act 2006**  
**Section 60**

**Chamber Ref: FTS/HPC/RP/22/1119**

**Property: 59/3 Viewforth, Edinburgh EH10 4LQ (“the Property/house”)**

**Title No: MID67416**

**The Parties:-**

**Ms Kristina Tamane, sometime 59/3 Viewforth, Edinburgh EH10 4LQ (“the Tenant”)**

**Ms Lucy Graham, c/o Zone Letting Limited (Edinburgh), 30 St Stephen Street,  
Edinburgh EH3 5AL (“the Landlord”)**

**Tribunal Members:**

**George Clark (Legal Member/Chairman) and Andrew Taylor (Ordinary/surveyor  
Member)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') hereby certifies that the work required by the Repairing Standard Enforcement Order relative to the Property made on 8 August 2022, has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.**

**Right of Appeal**

**In terms of section 46 of the Tribunals (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.**

**Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is**

**abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.**

IN WITNESS WHEREOF these presents typewritten on this and the preceding page are executed by George Barrie Clark, Legal Member/Chair, at Lasswade on 26 January 2023 before this witness Valerie Elizabeth Jane Clark,

**Clark** Legal Member/Chair  
Witness

# Housing and Property Chamber First-tier Tribunal for Scotland



Statement of Decision of the Housing and Property Chamber of the First-tier tribunal for Scotland under Section 60 of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/22/1119

Property: 59/3 Viewforth, Edinburgh EH10 4LQ ("the Property/house")

Title No: MID67416

The Parties:-

Ms Kristina Tamane, sometime 59/3 Viewforth, Edinburgh EH10 4LQ ("the Tenant")

Ms Lucy Graham, c/o Zone Letting Limited (Edinburgh), 30 St Stephen Street, Edinburgh EH3 5AL ("the Landlord")

Tribunal Members:

George Clark (Legal Member/Chairman) and Andrew Taylor (Ordinary/surveyor Member)

**Decision**

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal'), having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order made by the Tribunal on 8 August 2022, determined that the Landlord has now complied with the Order and that a Certificate of Completion of Works should be issued.

**Background**

By application, dated 15 April 2022, the Tenant applied to the Housing and Property Chamber of the First-tier Tribunal for Scotland ("the Tribunal") for a determination of whether the Landlord had failed to comply with the duties imposed by Section 14 (1) of the Housing (Scotland) Act 2006 ("the Act").

The application stated that the Tenant considered that the Landlord had failed to comply with his duty to ensure that the house meets the repairing standard.

Following an inspection and hearing held on 8 August 2022, the Tribunal made a Repairing Standard Enforcement Order ("the Order"). The Order required the Landlord to complete the following within a period of two months from the date of service of the Order:

**To engage suitably competent contractors to carry out such repair or replacement work as is necessary to ensure all the windows in the Property are wind and water tight, are capable of being opened and closed safely for ventilation, cleaning and possible fire escape, and meet the Repairing Standard.**

On 20 December 2022, the Landlord's letting agents provided the Tribunal with copies of Invoices from Stevenson Glass & Glazing, Edinburgh, for £1,905, for repairs to the windows of the Property and from SG Multitrades, Dalkeith for £1,120, for repainting the windows.

The Tribunal reinspected the Property on 26 January 2023. The Tenant had previously vacated the Property.

A Reinspection Report and Schedule of Photographs is attached to and forms part of this Decision. It was not necessary to send it to the Parties for comment, as the Tenant has vacated the Property and is, therefore, no longer a party to the application, and the Tribunal's findings confirm that the Landlord has complied with the Order.

### **Summary of the issues**

The issues to be determined were whether the Landlord had carried out the works required by the Repairing Standard Enforcement Order made on 8 August 2022.

### **Reasons for the Decision**

The Tribunal was satisfied from its reinspection that the work required by the Order has been satisfactorily carried out.

The decision of the Tribunal was unanimous.

### **Right of Appeal**

**In terms of section 46 of the Tribunals (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to**

appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them. Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed

**Clark**

Date: 26 January 2023